REMARKS

Claims 1-45 are presented for prosecution. Claims 1-5, 10-13, 17, 18, 20-25, 27, 30-31, 33, 35, 43 and 44 are currently amended. No claim is cancelled.

Claims 1, 30, and 43 were objected to because of the informality that the broadest definition of an "image" may include a "graphic". The specification had distinguished a graphic from an image by the way they are generally created. That is, the image was generally identified as a picture fully captured by some electronic device, such as an electronic camera, whereas a graphic was generally identified as a picture, artistic writing, symbol, etc. created by an individual, i.e. a graphics artist. Nonetheless, Applicants concede that in the broadest sense, an image may encompass a graphic item, once the graphic is created. Therefore, the objected claims have been amended to remove the term "graphic" with the understanding that an image may include a graphic.

Claims 3, 4, 33, and 34 were objected to under 35 U.S.C. §112, first paragraph as supposedly failing to comply with the enablement requirement. Specifically in regards to 3, 33, and 4, 34, the Office Action states that it is unclear what the invention regards as a distinct color within the context of the claim recitation, "when the number of color used in said source data is greater than a predetermined number."

Applicants note that the criteria for selecting the "predetermined number" is not limited by the claim language, but Applicants contend that the meaning of the "predetermined number" is nonetheless clear. That is, a source data image is typically comprised of a color palette of 16.7 million colors, or some other number of colors. The present invention merely states that if the number of colors used in the source image is greater than a predefined number, then source image is processed to reduce its number of colors, i.e. converted to a smaller size color palette. This initial conversion prevents, or reduces; visual grid pattern (i.e. visual noise) within the image that may appear once it has been further reduced in color, or size. That is, page 5, lines 6-15 explains that if two or three colors are assigned to an image with a large initial number of colors, dither noise may create grid pattern on the resultant image. However, if the number of colors in

the source image is first reduced to an intermediate number prior to assigning the two or three colors, then the dither noise will be reduced.

The Office Action also stated that since "there are very few 8-color color spaced, the examiner assumes that applicants intends for the term "color" to refer to both primary and various mixtures of primary coloring materials. Applicants are not quite sure as to the meaning of this statement. A mixture of primary colors will create secondary colors, which are also distinct colors in their own right. Thus, there is no distinction between primary colors, and secondary colors, other than for the sake of categorization. A secondary color in the source image is an individual, countable color distinct from the primary colors from which it is comprised.

Claims 1-5, 14-30, 32-35, and 40-45 were rejected under 35 U.S.C. §102(b) as being anticipated by reference U, which "pertains to user manual for Adobe System Photoshop 7.0, released in 2002. However, the examiner contends that all necessary feature and functions as cited in this office action were implemented in Adobe Photoshop version 5.5, released in February 1999. A brief summary of the development history and version changes regarding Adobe Photoshop can be found in Http://en.wikipedia.org/wiki/Adobe_Photoshop.

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Adobe Systems, as noted above, in view of Goshima (U.S. Pat.4,204,728).

Claims 7, 8, 9, 10, 11, 12, 13, 36, 37, 38 and 39 were rejected under 25 U.S.C. §103(a) as being unpatentable over Adobe Systems, as noted above, in view of Goshima and further in view of Powers (U.S. Pat. 5,982,924).

Lastly, the Office Action also notes that PowerTone references performs some functions similar to the present invention.

In regards to reference U (Adobe® Photoshop® 7.0 User Guide for Windows® and Macintosh (installed with Adobe Photoshop 7.0)), the Office Action notes that this reference has a releases date of 2002. Applicants respectfully point out that this reference is an Internet download showing a publication date of 9/2/2005. Nonetheless, the Office Action contends that all relevant information in this publication can also be found in a previous

Photoshop 5.5 release of February 1999. The Office Action references online web page "www.wikipedia.org" as support for its blanket assertion that _all relevant material_ shown in Adobe Photoshop® 7.0 would likely also be found in an Adobe Photoshop® 5.5 release of February, 1999.

Applicants believe that www.wikipedia.org is improper support for the Office Action's contention since "www.wikipedia.org" is not supported by any recognized, reputable publisher. Rather, the contents of www.wikipedia.org are supplied by individual contributors without regard for accuracy. That is, the contents of www.wikipedia.org are freely open to amendment (i.e. addition, deletion, etc.) by any user on the internet. Specifically, www.wikipedia.org explains in its "About" page (http://en.wikipedia.org/wiki/Wikipedia:About) that,

> **"Contributing to Wikipedia:** Anyone can contribute to Wikipedia by clicking on the _Edit this page_ tab in an article. Before starting to contribute however, you should check out some handy helping tools such as the tutorial and the policies and guidelines, as well as our welcome page.

Thus, Applicants respectfully submit that if the Office Action chooses to base its rejection on the purported contents of a February, 1999 release of Adobe Photoshop® 5.5, Applicants please be provided with an appropriately dated document noting such contents.

Applicants note that the Office Action does include a photocopy of page 37 from what is apparently a book (or chapter?) entitled "Color in Photoshop", but no copy of the title page or copyright date information page is provided. Applicants respectfully request copies of the title page or copyright date information page.

In regards to references "Powertone Version 1.5.6, User Guide" and "Powertone, Getting started", which are also internet website downloads, the Office Action asserts that these references refer to software released in 1999 with Adobe 5.5. Applicants respectfully point out that reference "Powertone Version 1.5.6, User Guide", shows a copyright date of 2002, while reference "Powertone, Getting started" shows a copyright date of 2000.

Applicants respectfully point out that the present invention application was filed in December 13, 2001, and has a foreign priority date of December 28, 2000. Thus, the priority data of the present invention application predates at least the Adobe System Photoshop 7.0 reference and the "Powertone Version 1.5.6, User Guide" reference.

Applicants contacted Examiner Kang November 10, 2005 to discuss the above noted matters. Examiner Kang agreed to withdraw some of the cited reference, and to issue another Office Action with more appropriate references.

In the interest of forwarding the present patent application, Applicants have further amended the claims to further clarify the present invention, and to maintain a proper antecedent basis between amended claims. The present amendments clarify that the present invention, in summary, basically teaches a method of converting a large image with many colors into a smaller image (suitable for the size of a sales receipt) with minimal colors (2 or 3 typically supported by cash register printers) with minimal distortion to the original image. This is achieved by first down-converting the number of colors in the original image to an intermediate image with an intermediate number of colors. The colors in the intermediate image may then be further restricted by those colors available to the cash register prior to reducing its size. Alternatively, the intermediate image may be reduced in size prior to replacing its colors with those available to the cash register printer. Also, the present invention describes a method by which the intermediate image is converted to a gray scale, and colors are assigned to the gray scale. Alternatively, the present invention also describes a method by which it is determined which of the printer colors available to the cash register are assigned to which specific colors in the intermediate image to achieve a more pleasing logo image.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration of the present application.

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